

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

John Christopher Smith,	)	CASE NO. 4:15-CV-04612-BHH-TER
	)	
Plaintiff,	)	
	)	
vs.	)	DEFENDANTS' ANSWERS
	)	TO LOCAL RULE 26.03
Ernest J. Edwards, individually,	)	INTERROGATORIES
Bobby Paul Edwards, individually,	)	
and Half Moon Foods, Inc. d/b/a J&J	)	
Cafeteria,	)	
	)	
Defendants.	)	
	)	

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The Defendants, **Ernest J. Edwards, individually and Half Moon Foods, Inc. d/b/a J&J Cafeteria**, answering Local Rule 26.03 Interrogatories, state as follows:

- (1) A short statement of the facts of the case.

**ANSWER:**

Plaintiff has brought a lawsuit regarding issues which arose from his employment at a restaurant owned by the Defendants. Plaintiff's claims are brought pursuant to the Fair Labor Standards Act and the South Carolina Payment of Wages Act. Plaintiff has also brought claims for assault and battery and for forced labor and racial discrimination.

- (2) The names of the fact witnesses likely to be called by the party and a brief summary of their expected testimony.

**ANSWER:**

Ernest J. Edwards, will testify regarding his knowledge of the circumstances surrounding Plaintiff's employment.

Bobby Paul Edwards, will testify regarding his knowledge of the circumstances surrounding Plaintiff's employment.

Jeremiah Baker, will testify regarding his knowledge of the circumstances surrounding Plaintiff's employment.

Jenny Powell, will testify regarding her knowledge of the circumstances surrounding Plaintiff's employment.

Martha E. DeBerry, will testify regarding her knowledge of the circumstances surrounding Plaintiff's employment.

Patricia King, will testify regarding her knowledge of the circumstances surrounding Plaintiff's employment.

Rachel Jackman, will testify regarding her knowledge of the circumstances surrounding Plaintiff's employment.

(3) The names and subject matter of expert witnesses (if no witnesses have been identified, the subject matter and field of expertise should be given as to experts likely to be offered).

**ANSWER:**

Defendants have not chosen an expert at this time but reserve the right to do so.

(4) A summary of the claims or defenses with statutory and/or case citations supporting the same.

**ANSWER:**

Defendants' defenses are:

- 1) general denial;
- 2) statute of limitations;
- 3) comparative negligence;
- 4) improper party;
- 5) estoppel;
- 6) good faith;
- 7) consent;
- 8) equitable estoppel;
- 9) waiver;
- 10) no private right of action;
- 11) criminal act;
- 12) lack of intent;
- 13) no threat of force or physical restraint;

(5) Absent special instructions from the assigned judge, the parties shall propose dates for the following deadlines listed in Local Civil Rule 16.02:

- (a) Exchange of Fed. R. Civ. P. 26(a)(2) expert disclosures; and
- (b) Completion of discovery.

**ANSWER:**

Defendants are agreeable to the proposed Scheduling Order

(6) The parties shall inform the Court whether there are any special circumstances which would affect the time frames applied in preparing the scheduling order.

**ANSWER:**

None

(7) The parties shall provide any additional information requested in the Pre-Scheduling Order (Local Civil Rule 16.01) or otherwise requested by the assigned judge

**ANSWER:**

Not at this time.

KELAHHER, CONNELL & CONNOR, P.C.

s/Gene M. Connell, Jr.

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**Attorney for Defendants Ernest J. Edwards and  
Half Moon Foods, Inc. d/b/a J&J Cafeteria**

March 4, 2016  
Surfside Beach, South Carolina.